UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/479,564	01/07/2000	AKIKO MIYATA	P/3156-13	3214

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EXAMINER
YUN, EUGENE

ART UNIT	PAPER NUMBER
2682	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Office Action Summary	Application No. 09/479,564	Applicant(s) MIYATA, AKIKO
		Examiner Eugene Yun	Art Unit 2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-33_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☒ Claim(s) _30-33_ is/are allowed.

6) ☒ Claim(s) _1-29_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _07 January 2000_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some *   c) ☐ None of:

       1. ☒ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____.

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1, 2, 8, 9, 14, 15, 20-22, 28 and 29 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Enmei (6,067,082) in view of Yoshioka (US 6,385,465).

Referring to Claim 1, Enmei teaches a destination calling control system

comprising:

a database (see col. 3, line 42);

an image storage for storing image data (see col. 3, lines 42-43);

a display 3C (fig. 116) for displaying said image data;

area specification means for specifying a destination image area within an image

displayed on said display (see fig. 69);

input means for entering destination data corresponding to the destination image

area (see col. 30, lines 20-21);

data registration means for calculating coordinate data of said destination image

area (see col. 30, lines 22-23), associating said coordinate data with the destination

data (see col. 30, lines 23-36), and storing said associated data in said database (see

col. 3, lines 42-43); and

calling means 7 (fig. 1) for contacting the destination based on the destination

data and the destination area.

Enmei does not teach the destination data chosen from the group consisting of

telephone number, fax number, and email. Yoshioka teaches the destination data

chosen from the group consisting of telephone number, fax number, and email (see

ABSTRACT). Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to provide the teachings of Yoshioka to said device of

Enmei in order to allow for a more convenient and user friendly method of contacting

another person by a use of a mobile device.

Referring to Claim 9, Enmei teaches a destination calling control method

comprising:

capturing image data (see col. 3, lines 32-34);

storing the image data (see col. 3, lines 42-43);

displaying said image data as a displayed image (see 3C of fig. 116);

specifying a destination image area within said displayed image (see fig. 69);

entering destination data corresponding to said destination image data (see col.

30, lines 20-21);

calculating coordinate data for said destination image area (see col. 30, lines 22-

23), associating said coordinate data with said destination image area (see col. 30, lines

23-36), and storing the associated data in a database (see col. 3, lines 42-43);

retrieving destination data by specifying said destination image area (see col. 30,

lines 21-22);

calculating said coordinates of said specified destination image area and searching said database for the destination data (see col. 30, lines 23-24); and

contacting said destination corresponding to the destination data (see col. 3, lines 46-49 and 7 of fig. 1).

Enmei does not teach the destination data chosen from the group consisting of telephone number, fax number, and email. Yoshioka teaches the destination data chosen from the group consisting of telephone number, fax number, and email (see ABSTRACT). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Yoshioka to said device of Enmei in order to allow for a more convenient and user friendly method of contacting another person by a use of a mobile device.

Referring to Claim 15, Enmei teaches a computer readable program product, said program product configured to execute in a computer the following destination calling control method comprising:

capturing desired image data (see col. 3, lines 32-34) and storing said data (see col. 3, lines 42-43);

displaying said image data (see 3C of fig. 116);

specifying a desired area within an image displayed corresponding to said image data (see fig. 69) and, entering destination data corresponding to a desired image area (see col. 30, lines 20-21);

calculating coordinate data of said desired area (see col. 30, lines 22-23),

associating said coordinate data with said destination data (see col. 30, lines 23-36),

and storing said associated data in a database (see col. 3, lines 42-43);

specifying as a destination, the desired area in the image and calculating the

coordinate of the desired area specified searching said database for the destination

data based on the coordinate (see col. 30, lines 19-36), and calling the destination

based on the destination data (see col. 3, lines 46-49 and 7 of fig. 1).

Enmei does not teach the destination data chosen from the group consisting of

telephone number, fax number, and email. Yoshioka teaches the destination data

chosen from the group consisting of telephone number, fax number, and email (see

ABSTRACT). Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to provide the teachings of Yoshioka to said device of

Enmei in order to allow for a more convenient and user friendly method of contacting

another person by a use of a mobile device.

Referring to Claim 21, Enmei teaches a destination calling control system

comprising:

a memory device configured to store a database (see col. 3, line 42);

an image storage unit for storing image data (see col. 3, lines 42-43);

a display unit 3C (fig. 116) for displaying the image data;

an area specification unit configured to allow a user to specify a desired area

within the image displayed on said display unit (see fig. 69);

an input unit for entering destination data (see col. 30, lines 20-21);

a data registration unit configured to calculate coordinate data of the area

specified by said area specification unit as a destination image area (see col. 30, lines

22-23), associating the coordinate data with the destination data entered from said input

unit (see col. 30, lines 23-36), and to register the associated data in said database (see

col. 3, lines 42-43);

a destination data search unit configured to calculate the coordinates of the area

specified by said area specification unit as a destination and to search said database for

the destination data based on the coordinates (see col. 30, lines 21-24); and

a calling unit calling the destination based on the destination data obtained by

said destination data search unit (see col. 3, lines 46-49 and 7 of fig. 1).

Enmei does not teach the destination data chosen from the group consisting of

telephone number, fax number, and email. Yoshioka teaches the destination data

chosen from the group consisting of telephone number, fax number, and email (see

ABSTRACT). Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to provide the teachings of Yoshioka to said device of

Enmei in order to allow for a more convenient and user friendly method of contacting

another person by a use of a mobile device.

Referring to Claim 2 and 22, Enmei also teaches said display comprising a touch

screen (input pen 55 of fig. 116 is used to touch screen).

Referring to Claims 8 and 28, Enmei also teaches said data registration means

defining an outline of said destination image area, calculating the coordinate data of

said outline, associating said coordinate data with said destination data, and storing

said associated data in said database (see col. 30, lines 19-36).

Referring to Claims 14 and 20, Enmei also teaches the coordinate area of said

destination image area obtained by extracting an outline of a destination object in said

destination image area and by calculating said coordinates of an area encircled by said

outline (see col. 30, lines 19-36).

Referring to Claim 29, Enmei also teaches destination data search means for

calculating coordinates of a selected area indicating a destination image area for

searching said database means for the destination data associated with the coordinates

(see col. 30, lines 21-24); and

calling means for calling the destination associated with the destination data

obtained by said destination data search means (see col. 3, lines 46-49).

3.   Claims 3-7, 10-13, 16-19, and 23-27 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Enmei and Yoshioka in view of Suzuki (02-113657 "cited in

IDS").

Regarding Claims 3 and 23, the combination of Enmei and Yoshioka does not

teach image pasting means for pasting a title image created by a title image creation

means and the plurality of destination images captured by said image capturing means

and for storing the pasted images. Suzuki teaches image pasting means for pasting a

title image (see fig. 4) created by a title image creation means and the plurality of

destination images 1-16 (fig. 4) captured by said image capturing means and for storing

the pasted images. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Suzuki to said device of Enmei in order to even further increase the user friendliness of a mobile device.

Referring to Claim 4 and 24, Suzuki also teaches said display displaying said title image as a reference and allowing the user to scroll across the paste image (see fig. 4 where scrolling across the paste image is required for a destination selection to be made).

Referring to Claims 6 and 26, Suzuki also teaches the image comprising a photographic image (see fig. 2).

Referring to Claims 7 and 27, Enmei also teaches a handwritten input image created by the title image creator (see fig. 12).

Regarding Claims 10 and 16, Suzuki also teaches creating a paste image by pasting a plurality of destination images with a title image (see images 1-16 combined into one image in fig. 4).

Regarding Claims 5, 11, 17, and 25, Yoshioka also teaches assigning unique number in a numeric keypad to a paste image, and displaying the destination image or the title image in response to the number of the numeric key that is pressed (see col. 8, lines 9-30).

Regarding Claims 12, 13, 18 and 19, Suzuki also teaches a photographic image or a handwritten image used as the destination image constituting said paste image (see figs. 2 and 4).

Allowable Subject Matter

4.   Claims 30-33 are allowed.

Regarding Claim 30, Enmei, Yoshioka and Suzuki do not teach, alone nor in combination, retrieving said destination data by selecting said portion of said image; and

dialing a call utilizing said destination data.

Regarding Claim 32, Enmei, Yoshioka and Suzuki do not teach, alone nor in combination, a searcher for retrieving destination data based on coordinates of a portion of said image selected by said selector; and

a calling device for calling using the destination data retrieved by said searcher.

Response to Arguments

5.   Applicant's arguments filed 2/4/2004 have been fully considered but they are not persuasive.

The examiner agrees that the above cited prior art does not teach dialing a call according to destination data after a user selects a portion of an image with said destination data stored with the coordinates of the selected portion in a database. However, the process of actually selecting the portion of the image is only present in Claims 30 and 32. None of the other independent claims has that limitation. Therefore, the combination of the Enmei reference and the Yoshioka reference can clearly be used as the Enmei clearly teaches storing a telephone number in a database in accordance with coordinates on an image and Yoshioka clearly teaches retrieving a telephone number stored in a database in accordance with coordinates on an image and dialing it.

The specifics of actually selecting the portion of said image by said user must be more clearly shown in the other claims to render the cited combination of prior art moot.

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (703) 305-2689. The examiner can normally be reached on 8:30am-5:30pm Alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (703) 308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

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